UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,141	12/15/2003	Ajit P. Joshi	42P16772	6353

59796 7590 03/27/2008

INTEL CORPORATION
c/o INTELLEVATE, LLC
P.O. BOX 52050
MINNEAPOLIS, MN 55402

EXAMINER	
HAILE, AWET A	
ART UNIT	PAPER NUMBER
2616	

MAIL DATE	DELIVERY MODE
03/27/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/737,141	JOSHI ET AL.	
	Examiner	Art Unit	
	AWET HAILE	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 December 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33 and 35-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33 and 35-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims 1-33 and 35-39 are pending on this application.

Claim 34, is cancelled.

Response to Arguments

1. Applicant's arguments filed on **12/31/2007** have been fully considered but they are not persuasive.

Regarding claims, 1-33 and 35-39, the applicant argued that "……Dureau does not teach or suggest at least the following claimed element: "determining whether the media item needs intelligent transcoding to be played on the particular rendering device, wherein if the media item needs intelligent transcoding, then intelligently transcoding the media item, wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting……." page 12 paragraph 5–page 13 paragraph 1.

In response to applicant's argument, the examiner respectfully disagrees with the argument above.

In response to applicant's argument, Dureau '860 discloses, determining whether the media item needs intelligent transcoding to be played on the particular rendering device(fig 6,

steps 604 and 606, up on receiving the data, NG receiver 340 makes a decision, whether to transcode the received data or not, see also paragraph 47), wherein if the media item needs intelligent transcoding, then intelligently transcoding the media item(fig 6, steps 606-612, based on the decision made on step 606, the received data is transcoded at step 612, see also paragraph 47), wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting (see paragraph 35, lines 12-39 and paragraph 36, lines 1-9, note: since the word **or** is used the prior art(Dureau '860) doesn't have to teach all types of the intelligent transconding, Dureau 860 teaches, transcoding, transformatting and transrating).

Further more, Dureau '860 fig 6, steps 604 -616 clearly shows determining whether to transcode the received data (step 606) and based on the decision on step 606, checks if the data transcoding format is supported by Receiver 340(step 610), then if the format is supported transcode the received data(step 612). Thus, it is clear that Dureau '860 discloses the claimed invention.

The applicant argued that "….Sull et al. does not teach or suggest all of the features missing from Dureau….." page 14, paragraph 3, " ….Sezer et al. does not teach or suggest all of the features missing from Dureau…." page14, paragraph 5.

In response to applicant's argument, the examiner respectfully disagrees with the argument above.

In response to applicant's argument ,the rejection is based upon a combined system of Dureau '860 and Sull '218. one must consider the combined system of Dureau '860 and Sull '218 as a **whole,** rather than individually as incorrectly stated by applicant above. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

The applicant argued that " …Dureau does not teach or suggest at least the element of: "a transport manager to gather information from the policy manager, to determine network throughput and platform usage required to perform intelligent transcoding, and to communicate with an application to provide device characteristics and policy information to a graph manager, wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting to transform a media format from a service provider to another media format for a rendering device for playing media on the rendering device," for the reasons stated above.
Futhermore, Amini et al. does not teach or suggest these features missing from Dureau….." Page 15 paragraph 2.

In response to applicant's argument, the examiner respectfully disagrees with the argument above.

In response to applicant's argument, Dureau '860 discloses , a transport manager(fig 4, Control Unit 302) to gather information from the policy manager(see paragraph 41, control unit 32 executes the software stored in memory 304), to determine network throughput(paragraph 35, lines 34-38, control unit 302 determine communication link bandwidth between receiver 12 and PDA352E) and platform usage required to perform intelligent transcoding(see paragraph 40, note: control unit 302 is the main processor which executes operating system and other software's stored in memory 304, determining a platform required to execute any process in the system is a common routine) ;

and to communicate with an application to provide device characteristics and policy information to a graph manager(paragraph 44, lines 4-17, note: control unit 302 receives data, and if the data needs to be transcoded forward the data to the transcoder 310 with the receiver ID), wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting (see paragraph 35, lines 12-39 and paragraph 36, lines 1-9, note: since the word or is used the prior art(Dureau '860) doesn't have to teach all types of the intelligent transconding, Dureau 860 teaches, transcoding, transformatting and transrating) ;

to transform a media format from a service provider to another media format for a rendering device for playing media on the rendering device(see paragraph 35, lines 12-38; note if the data format from the Web is not supported by the PDA352E receiver 340 transcode/tranform the data and forward it to the PDA352E).

Further more, Dureau '860 fig 6, steps 604 -616 clearly shows determining whether to transcode the received data (step 606) and based on the decision on step 606, checks if the data transcoding format is supported by Receiver 340(step 610), then if the format is supported transcode the received data(step 612). Thus, it is clear that Dureau '860 discloses the claimed invention.

Claim Rejections – 35 USC§ 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-6, 8-11, 13-18, 20-23, 25, 29-33 and 35-38** are rejected under 35 U.S.C. 102(e) as being anticipated by Dureau(US 2003/0135860).

Regarding claim 1, Dureau '860 discloses, a multimedia conversion method (fig, 3 NG Receiver 340) comprising: enabling a user to select a media item that the user desires to have played on a particular rendering device on a network (see paragraph 33, lines 25-31, note: fig 3, NG Receiver 340 process a request from PDA352E user);

requesting the media item from a service provider(paragraph 35, lines 20-27, NG Receiver 340, receiving a request from PDA352E and forwarding the request to internet service provider); receiving the media item(paragraph 36, lines 16 -21, receiver 340 receiving video image from camera 352B and transmitting it to PDA352E); determining whether the media item needs intelligent transcoding to be played on the particular rendering device(fig 6, steps 604 and 606, up on receiving the data, NG receiver 340 makes a decision, whether to transcode the received data or not, see also paragraph 47), wherein if the media item needs intelligent transcoding, then intelligently transcoding the media item(fig 6, steps 606-612, based on the decision made on step 606, the received data is transcoded at step 612, see also paragraph 47),

wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting(see paragraph 35, lines 12-39 and paragraph 36, lines 1-9, note: since the word **or** is used the prior art(Dureau '860) doesn't have to teach all types of the intelligent transconding, Dureau 860 teaches, transcoding, transformatting and transrating) and streaming the media item to the particular rendering device(paragraph 36, lines, 16- 22, NG Receiver 340 receive video stream from camera 352B, change the format and then transmit to PDA352E).

Regarding claim 2, Dureau '860 discloses, wherein determining whether the media item needs intelligent transcoding to be played on the particular rendering device further comprises determining whether intelligent transcoding can be performed (see paragraph 34, fig 6 step 606 " Transcode required? ").

Regarding claim 3, Dureau '860 discloses, wherein determining whether intelligent transcoding can be performed comprises: determining whether the format of the media item can be transcoded(see paragraph 34, fig 6 fig 6 step 606 " Transcode required? "); determining whether a required platform usage to perform intelligent transcoding is available(see paragraph 40, control unit 302 executes operating system stored in memory 304, therefore, control unit 302 determines the platform needed for transcoding); and determining whether there is enough bandwidth on the network to perform intelligent transcoding(paragraph 35, lines 34-38, control unit 302 determine communication link bandwidth between receiver 12 and PDA352E).

Regarding claim 4, Dureau '860 wherein determining whether the format of the media item can be transcoded comprises using a rules engine to look up rules (fig 3, Memory subsystem 304, stores software and protocols), based on policy, to determine whether the format of the media item can be transcoded (fig 3, Control Unit 302 determines, whether or not transcoding is necessary using the rules stored in memory system 304).

Regarding claim 5, Dureau '860 discloses, wherein determining whether the media item needs intelligent transcoding to be played on the particular rendering device includes determining device capabilities for the particular rendering device (fig 6, step 604) and determining whether the media format of the media item can be played on the particular rendering device (fig 6, steps 606, see also paragraph 47).

Regarding claim 6, Dureau '860 discloses, wherein control points and discovery methods are used to determine the device capabilities (see paragraph 46, receiver 12 uses a plug-and- play functionality to discover new device capability).

Regarding claim 8, Dureau '860 discloses, wherein the transcaling comprises changing the resolution of the media item(see paragraph 36, lines 16-22, note: changing a video image from camera 352B to still picture, so that it can be displayed on the PDA352E requires a resolution change).

Regarding claim 9, Dureau '860 discloses, wherein the transrating comprises changing or reducing the bitrate of the media item (paragraph 35, lines 34-38, Note: by compressing the received data receiver 340 achieve data bitrate reduction).

Regarding claim 10, Dureau '860 discloses, wherein the transcoding comprises converting the format of the media item into another media format (paragraph 37, Receiver 340 changes the received signal/data format, into another format if it's necessary).

Regarding claim 11, Dureau '860 wherein the transformatting comprises converting packaging of the media format to another media packaging format (see paragraph 39, lines 1-9).

Regarding claim 13, Dureau '860 discloses, a computer readable medium, encoded with computer executable having a plurality of machine accessible instructions, wherein when the

instructions are executed by a processor (fig, 3 NG Receiver 340), the instructions provide for enabling a user to select a media item that the user desires to have played on a particular rendering device on a network (see paragraph 33, lines 25-31, note: fig 3, NG Receiver 340 process a request from PDA352E user);

requesting the media item from a service provider(paragraph 35, lines 20-27, NG Receiver 340, receiving a request from PDA352E and forwarding the request to internet service provider); receiving the media item(paragraph 36, lines 16 -21, receiver 340 receiving video image from camera 352B and transmitting it to PDA352E); determining whether the media item needs intelligent transcoding to be played on the particular rendering device(fig 6, steps 604 and 606, up on receiving the data, NG receiver 340 makes a decision, whether to transcode the received data or not, see also paragraph 47), wherein if the media item needs intelligent transcoding, then intelligently transcoding the media item(fig 6, steps 606-612, based on the decision made on step 606, the received data is transcoded at step 612, see also paragraph 47),

wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting(see paragraph 35, lines 12-39 and paragraph 36, lines 1-9); and streaming the media item to the particular rendering device(paragraph 36, lines, 16- 22, NG Receiver 340 receive video stream from camera 352B, change the format and then transmit to PDA352E).

Regarding claim 14, Dureau '860 discloses, wherein determining whether the media item needs intelligent transcoding to be played on the particular rendering device further

comprises determining whether intelligent transcoding can be performed (see paragraph 34, fig 6 step 606 " Transcode required? ").

Regarding claim 15, Dureau '860 discloses, wherein determining whether intelligent transcoding can be performed comprises: determining whether the format of the media item can be transcoded(see paragraph 34, fig 6 step 606 " Transcode required? "); determining whether a required platform usage to perform intelligent transcoding is available(see paragraph 40, control unit 302 executes operating system stored in memory 304, therefore, control unit 302 determines the platform needed for transcoding); and determining whether there is enough bandwidth on the network to perform intelligent transcoding(paragraph 35, lines 34-38, control unit 302 determine communication link bandwidth between receiver 12 and PDA352E).

Regarding claim 16, Dureau '860 discloses, wherein determining whether the format of the media item can be transcoded comprises using a rules engine to look up rules (fig 3, Memory subsystem 304, stores software and protocols), based on policy, to determine whether the format of the media item can be transcoded (fig 3, Control Unit 302 determines, whether transcoding is necessary using the rules stored in memory system 304).

Regarding claim 17, Dureau '860 discloses, wherein determining whether the media item needs intelligent transcoding to be played on the particular rendering device includes determining device capabilities for the particular rendering device (fig 6, step 604, " Determine

target format") and determining whether the media format of the media item can be played on the particular rendering device (fig 6, steps 606, see also paragraph 47).

Regarding claim 18, Dureau '860 discloses, wherein control points and discovery methods are used to determine the device capabilities (see paragraph 46, receiver 12 uses a plug-and- play functionality to discover new device capability).

Regarding claim 20, Dureau '860 discloses, wherein the transcaling comprises changing the resolution of the media item(see paragraph 36, lines 16-22, note: changing a video image from camera 352B to still picture, so that it can be displayed on the PDA352E requires a resolution change).

Regarding claim 21, Dureau '860 discloses, wherein the transrating comprises changing or reducing the bitrate of the media item (paragraph 35, lines 34-38, Note: by compressing the received data receiver 340 achieve data bitrate reduction).

Regarding claim 22, Dureau '860 discloses, wherein the transcoding comprises converting the format of the media item into another media format (paragraph 37, Receiver 340 changes the received signal/data format, into another format if it's necessary).

Regarding claim 23, Dureau '860 wherein the transformatting comprises converting packaging of the media format to another media packaging format (see paragraph 39, lines 1-9).

Regarding claim 25, Dureau '860 discloses, A conversion engine comprising: a policy manager to provide rules defining applicable media formats in which a particular media format can be transcoded(fig 4, Memory Subsystem 304, see also paragraph 40 and 42, note; the memory system 304 stores operating systems, Protocols(rules) and driver software's , which can be used for transcoding);

a transport manager(fig 4, Control Unit 302) to gather information from the policy manager(see paragraph 41, control unit 32 executes the software stored in memory 304), to determine network throughput(paragraph 35, lines 34-38, control unit 302 determine communication link bandwidth between receiver 12 and PDA352E) and platform usage required to perform intelligent transcoding(see paragraph 40, control unit 302 executes operating system stored in memory 304, therefore, control unit 302 is capable of determining platform needed for transcoding) and to communicate with an application to provide device characteristics and policy information to a graph manager(paragraph 44, lines 4-17, note: control unit 302 receives data, and if the data needs to be transcoded forward the data to the transcoder 310 with the receiver ID),

wherein intelligent transcoding includes one or more of transcoding, transcaling, transrating, transformatting, and transcripting (see paragraph 35, lines 12-39 and paragraph 36, lines 1-9) to transform a media format from a service provider to another media format for a rendering device for playing media on the rendering device(see paragraph 35, lines 12-38; note

if the data format from the Web is not supported by the PDA352E receiver 340 transcode/tranform the data and forward it to the PDA352E),

wherein the graph manager puts together an infrastructure for intelligent transcoding and enables intelligent transcoding to be performed (fig 5, transcode subsystem 310, see also paragraph 43).

Regarding claim 29, Dureau '860 discloses, a back channel manager to communicate out of band commands to applications (fig 1, Back Channel 26).

Regarding claim 30, Dureau '860 discloses, wherein the policy manager determines a required platform usage for a particular media format conversion(see paragraph 40, control unit 302 executes operating system stored in memory 304, therefore, control unit 302 is capable of determining platform needed for transcoding).

Regarding claim 31, Dureau '860 discloses, a home network comprising(see fig 3): a controller(fig 3, NG Receiver 340) to control the flow of digital multimedia content from one or more service providers(fig 3, NG Receiver 340 connected to Internet 371 and satellite 360) ;

a plurality of rendering devices coupled to the controller (fig 3, devices 352A-352E), to play the digital multimedia content (fig 3, PDA352E, TV 352 or Monitor 352D); and a media

renderer to connect one or more of the plurality of rendering devices to the controller (fig 3, Receiver 352E);

wherein the controller comprises an intelligent transcoding engine (fig 4, Transcode Subsystem 310)to intelligently transcode the digital multimedia content from an original media format to a format suitable for at least one of the rendering devices(paragraph 35, lines 12-38, receiver 340 transcoding data received from the Web and then forwarding it to PDA352E), wherein to intelligently transcode comprises one or more of to transcode, transcale, transrate, transform, and transcript(see paragraph 35, lines 12-39 and paragraph 36, lines 1-9).

Regarding claim 32, Dureau '860 discloses, wherein the controller comprises at least one of a media center, a set top box, a personal computer, a home server, and a workstation (see fig 3, Devices 352A-352E).

Regarding claim 33, Dureau '860 discloses, wherein the one or more rendering devices connected to the controller by the media renderer (fig 3, Receiver 352E) are incapable of directly connecting to the controller (fig 3, Receiver 352E the monitor is connected to NG Receiver via Receiver 352E).

Regarding claim 35, Dureau '860 discloses, wherein the transcoding comprises converting the format of the digital multimedia content into another media format (fig 6, steps 604 -610, paragraph 47).

Regarding claim 36, Dureau '860 discloses, wherein the transcaling comprises changing the resolution of the media item(see paragraph 36, lines 16-22, note: changing a video image from camera 352B to still picture, so that it can be displayed on the PDA352E requires a resolution change).

Regarding claim 37, Dureau '860 discloses, wherein the transrating comprises changing or reducing the bitrate of the media item (paragraph 35, lines 34-38, Note: by compressing the received data receiver 340 achieve data bitrate reduction).

Regarding claim 38, Dureau '860 wherein the transformatting comprises converting packaging of the media format to another media packaging format (see paragraph 39, lines 1-9).

Claim Rejections – 35 USC§ 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. **Claims 7 and** 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau '860 in view of Sull et al (US 2002/0069218 A1).

Regarding claim 7, Dureau '860 failed to teach, wherein a metadata server is used to determine the device capabilities.

However, Sull '218 teaches, wherein a metadata server is used to determine the device capabilities (see paragraph 57 and 58, metadata is used to learn about the device and user).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of using metadata server to learn about the device capabilities as taught by Sull '218 into the NG Receiver of Dureau '860, in order to determine the user's trends or patterns that can be used to predict future viewing preferences, since such method is suggested by Sull '218(paragraph 57).

Regarding claim 19, Dureau '860 failed to teach, wherein a metadata server is used to determine the device capabilities.

However, Sull '218 teaches, wherein a metadata server is used to determine the device capabilities (see paragraph 57 and 58, metadata is used to learn about the device and user).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of using metadata server to learn about the device capabilities as taught by Sull '218 into the NG Receiver of Dureau '860, in order to determine the user's trends or patterns that can be used to predict future viewing preferences. since such method is suggested by Sull '218(paragraph 57).

7. **Claims 12, 24 and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau '860 in view of Safadi (2003/0126086 A1).

Regarding claim 12, Dureau '860 failed to teach, wherein the transcripting comprises converting a Digital Rights Management (DRM)/copy protection scheme to another DRM/copy protection scheme.

However Safadi '086 teaches, wherein the transcripting comprises converting a Digital Rights Management (DRM)/copy protection scheme to another DRM/copy protection scheme(see paragraph 33 -39, Safadi ' 086 teaches a process of changing an original DRM scheme into native DRM scheme).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of changing an original scheme DRM into local RDM scheme as taught by Safadi '086 into the transcoder subsystem 310 of Dureau '860, in order to provide methods and apparatus for digital rights management that allow a user to download and use content at a single media player or consumer device regardless of the DRM scheme, since such a method is suggested by Safadi '860(paragraph 44).

Regarding claim 24, Dureau '860 failed to teach, wherein the transcripting comprises instructions for converting a Digital Rights Management (DRM)/copy protection scheme to another DRM/copy protection scheme.

However Safadi '086 teaches, wherein the transcripting comprises converting a Digital Rights Management (DRM)/copy protection scheme to another DRM/copy protection scheme(see paragraph 33 -39, Safadi ' 086 teaches a process of changing an original DRM scheme into native DRM scheme).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of changing an original scheme DRM into local RDM scheme as taught by Safadi '086 into the transcoder subsystem 310 of Dureau '860, in order to provide methods and apparatus for digital rights management that allow a user to download and use content at a single media player or consumer device regardless of the DRM scheme, since such a method is suggested by Safadi '860(paragraph 44).

Regarding claim 39, Dureau '860 failed to teach, wherein the transcripting comprises instructions for converting a Digital Rights Management (DRM)/copy protection scheme to another DRM/copy protection scheme.

However Safadi '086 teaches, wherein the transcripting comprises converting a Digital Rights Management (DRM)/copy protection scheme to another DRM/copy protection scheme(see paragraph 33 -39, Safadi ' 086 teaches a process of changing an original DRM scheme into native DRM scheme).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of changing an original scheme DRM into local RDM scheme as taught by Safadi '086 into the transcoder subsystem 310 of Dureau '860, in order to provide methods and apparatus for digital rights management that allow a user to download and use content at a single media player or consumer device regardless of the DRM scheme, since such a method is suggested by Safadi '860(paragraph 44).

8. **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau '860 in view of Amini et al (US 6581102 B1).

Regarding claim 26, Dureau '860 discloses, wherein the graph manager comprises: a demultiplexer to separate the media input into video and audio components (see paragraph 39 and fig 5, element 530B); a decode/encode to decode the video and audio components and intelligent transcode the video and audio components based on the infrastructure generated by the graph manager (fig 5, transcode subunits 520, see also 44)

However, Dureau '860 failed to teach, a capture filter to capture media input; and a network filter to filter the media data for streaming to the rendering device.

Amini '102 teaches, a capture filter to capture media input; and a network filter to filter the media data for streaming to the rendering device(see column 16, lines 5-28, see also column 3, lines 15-68, Amini discloses a method of creating filter on the receiving ports, and using filters to send streaming data to the network) .

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of creating filters at the input port and output port of communication device as taught by Amini '102 into the transcoder subsystem 310 of Dureau '860, in order to enhance the ability of a media processing system to store and stream various media formats under a variety of conditions.

Dureau '860 and Amini '102 do not explicitly teach, a multiplexer to combine the transcoded video and audio components into media data

However, Dureau '860 teaches a multiplexor that multiplexes audio / video signals on the transmitting side (fig 2, Multiplexor 220, see also paragraph 30)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of using a multiplexor for multiplexing audio and video signals from fig 2 of Dureau '860 into the transcoder subsystem 310 of Dureau '860 fig 5, in order to combine the transcoded video and audio signals.

9. **Claims 27 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau '860 and Amini '102 as applied to claims **25 and 26** above, and further in view of Crouch et al (US 2004/0207724 A1).

Regarding claim 27, Dureau '860 and Amini '102 failed to teach, wherein the media data is streamed using HTTP (Hypertext Transport Protocol).

However, Crouch '724 teaches, wherein the media data is streamed using HTTP (Hypertext Transport Protocol) (see paragraph 24, Crouch '724, teaches using HTTP for media streaming purposes).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of using HTTP to stream media data as taught by

Crouch '724 into the modified transcoder subsystem 310 of Dureau '860, in order to switch a live stream to new media stream, since such a method is suggested by Crouch '724 (paragraph 25) .

Regarding claim 28, Dureau '860 and Amini '102 failed to teach, wherein the media data is streamed using RTP (Real-Time Transport Protocol).

However, Crouch '724 teaches, wherein the media data is streamed using RTP (Real-Time Transport Protocol) (paragraph 24, Crouch '724, teaches using HTTP for media streaming purposes).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate, the method of using RTP to stream media data as taught by Crouch '724 into the modified transcoder subsystem 310 of Dureau '860, in order to switch a live stream to new media stream.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, Sezer et al(US 6959116 B2), Brooks et al(US 7047305 B1), Zhang et al(US 2004/0111749 A1), Dak Cabto et al(US 2003/0217166 A1), Ludtke et al(US 6421069 B1) to show a transcodig system, since such a method is suggested by Crouch '724 (paragraph 25).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AWET HAILE whose telephone number is (571)270-3114. The examiner can normally be reached on Monday through Friday 8:30 AM - 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MOE AUNG can be reached on (571)272-3474. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AWET HAILE
Examiner
Art Unit 2616

/Aung S. Moe/
Supervisory Patent Examiner, Art Unit 2616